

CVP M&I Water Shortage Policy Review Stakeholder Workshop #4 Summary

**October 28, 2010
Sacramento, California**

Objectives of the WSP Review Process:

- Review CVP M&I Water Shortage Policy (WSP) status
- Enhance understanding of WSP
- Obtain input from CVP contractors and public (Stakeholders)
- Help guide decisions on WSP

Objectives of Today's Workshop:

- Discuss proposed changes to WSP
- Review WSP content, format changes
- Discuss next steps

I. Presentation of the Draft WSP and its Modifications

- A. Reference to the 1996 M&I Water Rates book was removed and replaced with the Water Needs Assessment prepared for the Long-Term CVP Water Service Contract renewals.
- B. Terms and Conditions 4 and 5 from the draft 2001 policy were removed and replaced with the Table 3-5 from the 2005 EA to determine allocation reductions to M&I contractors in proportion to irrigation shortage allocations.
- C. Definitions were expanded to provide greater clarification on key terms including: non-CVP water, extraordinary conservation measures, and unconstrained year.
- D. A new section outlining implementation procedures was added to the policy to clarify and outline the WSP's implementation steps.

II. Workshop Summary and Next Steps

- A. Written comments on the draft WSP are due from stakeholders on November 22nd.
- B. Reclamation will consider the comments made at the workshop and any written comments that are made and based on the nature of the comments determine if another workshop is necessary.



- C. Reclamation anticipates that a new Environmental Assessment (EA) will be prepared for the WSP following the close of the comment period on November 22nd.
- D. Formal public scoping is not required as a part of EA preparation but could be arranged if the need is identified by Reclamation.

III. Discussion

- A. A revision is needed to language on page 2-2 – “The contractor must show that the non-CVP water was delivered and paid for prior to identifying the supply as “non-CVP water” for purposes of requesting additional water under the M&I WSP”.
 - 1. Some appropriative water rights holders do not pay for non-CVP water.
 - 2. Clause “delivered and paid for” should be revised to “delivered and used”.
- B. Clarification is needed to language on page 2-2 – “An adjustment to the contractor’s historical use quantity to account for water sources other than the CVP used to satisfy M&I demand within the contractor’s service area, subject to written documentation from the contractor that shows the extent to which the use of the non-CVP water actually reduced the use of CVP water in other years”.
 - 1. What are considered “other years”?
 - 2. The last three years of water deliveries that were unconstrained by the availability of CVP water.
- C. If a contractor shows that the use of non-CVP water plus the use of CVP water exceeds the contract total, would historic use be considered 100%.
 - 1. Yes
- D. Clarify that historic use adjustments are only made upon request from contractors as a part of the public health and safety need assessment.
- E. The description of Term and Condition Number 2 needs to be moved to the description of public health and safety adjustments.
- F. Years with late season allocation increases should not be considered unconstrained given contractors need to secure additional water supplies that will affect the total use of CVP supplies that year.
- G. CVP contractors with subcontractors identified in their CVP contract that utilize different delivery points create challenges for the calculation of historic use in unconstrained water years.
- H. Does growth adjustment applies to both CVP and non-CVP water?



RECLAMATION

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- I. The EA needs to consider how meeting public health and safety levels will affect Shasta and Folsom operation.
- J. Clarification should be added to Figure 1 - the variable “N” should be clarified to demonstrate that non-CVP supplies that would be considered as a part of public health and safety calculations are different from non-CVP supplies available in the unconstrained years utilized for historic use calculations. The variable in the public health and safety calculation should be changed to N_D to clarify that non-CVP supplies in drought or water supply limited conditions are being used for this calculation.
- K. Figure 1 should also be clarified to make clear that factor “B” is the difference between historical use and contract total.
- L. Clarification is needed for Public Health and Safety Implementation Procedure #2 to indicate whether or not conditions a, b and c need to met in order to qualify for public health and safety supplies.
- M. Contractors would like to know if Reclamation is committed to meeting to the degree possible given legal and regulatory limits, public health and safety demands.
- N. The footnote on page 3-8 needs to be revised. The 55 gpcd value was not a “requirement” of the conservation legislation.
- O. The analysis presented in the 2005 EA on water supply impacts south of the Delta was inadequate and will need to be completed a higher level of detail.
- P. Stakeholders are interested in the baseline that will be utilized to characterize both CVP/SWP operations and to characterize without project operation of the M&I WSP.
- Q. If the baseline utilized is the current policy there will be no change to analyze in the EA. Stakeholders are interested to see if the 1995 WSP would be utilized as the baseline.
- R. The stakeholders would appreciate the opportunity to review the revised M&I WSP that will ultimately be analyzed in the EA.

